

30.11.2022.
p.b.
Sl. No.16.

WPA 23177 of 2022

Shiv Murat Seth
Vs.
State of West Bengal & Ors.

Mr. Mainak Bose,
Mr. Neeraj Kr. Pandey,
Mr. S. M. Akhter.
.....for the petitioner.

Mr. A. Ray,
Mr. T. M. Siddiqui,
Mr. D. Ghosh,
Mr. N. Chatterjee.
.....for the State.

Heard learned advocates appearing for the respective parties.

Petitioner has filed this writ petition being aggrieved by the action of the respondent authorities concerned issuing summons on 26th August, 2022 for personal appearance of the petitioner and further summon on 22nd September, 2022. Petitioner submits that against the aforesaid summons, petitioner has filed two representations dated 30th August, 2022 and 27th September, 2022 and without considering and disposing the same, the respondent authorities concerned are proceeding in the matter.

Considering the facts and circumstances of this case, this writ petition being WPA 23177 of 2022 is

disposed of by directing the Assistant Commissioner of State Tax, Bureau of Investigation, South Bengal/respondent no.2 to consider and dispose of the aforesaid representation of the petitioner dated 27th September, 2022 as appears at page 44 of the writ petition in accordance with law and by passing a reasoned and speaking order after giving a opportunity of hearing to the petitioner or his authorized representatives within four weeks from the date of communication of this order. This Court is not inclined to interfere with the continuation of the impugned proceeding but respondent concerned shall not take any coercive action against the petitioner till the disposal of the aforesaid representation.

It is clarified that this Court has not gone into the merit of the representation and the authority concerned shall consider the same strictly in accordance with law.

(Md. Nizamuddin, J.)